

IC 9-21-19

Chapter 19. Entrances to State Highways From Private Property

IC 9-21-19-1

Permit requirements

Sec. 1. A person may not:

- (1) construct a private entrance, driveway, or approach connecting with a highway in the state highway system or the state maintained route through a city or town; or
- (2) cut or remove a curb along a highway;

without a written permit from the Indiana department of transportation. The action must be in accordance with the rules and requirements of the department.

As added by P.L.2-1991, SEC.9.

IC 9-21-19-2

Rules and requirements for entrances; adoption

Sec. 2. The Indiana department of transportation shall adopt rules and requirements for private entrances, driveways, and approaches necessary to provide for drainage of the highway, preservation of the highway, and the safety and convenience of traffic on the highway.

As added by P.L.2-1991, SEC.9.

IC 9-21-19-3

Structures connected to entrances; minimum distance from highway; requirements

Sec. 3. The rules and requirements adopted under section 2 of this chapter may include the minimum distance that gasoline pumps, buildings, and other structures to which private entrances, driveways, or approaches make a connection may be placed next to the property line of the state highway or next to the outside edge of sidewalks along routes through incorporated cities and towns.

As added by P.L.2-1991, SEC.9.

IC 9-21-19-4

Supervision of work by department of transportation; construction expenses

Sec. 4. All work on private entrances, driveways, and approaches shall be done under the supervision and to the satisfaction of the Indiana department of transportation. The entire expense of constructing private entrances, driveways, and approaches shall be paid by the person to whom a permit is given.

As added by P.L.2-1991, SEC.9.

IC 9-21-19-5

Bond or cash deposit

Sec. 5. The Indiana department of transportation may require, before granting a permit, that a sufficient bond be given or cash deposit be made with the Indiana department of transportation to ensure the carrying out of the terms of the permit. The bond or

deposit shall be returned when the requirements of the permit have been met.

As added by P.L.2-1991, SEC.9.

IC 9-21-19-6

Maintenance and repair of entrances; removal of entrances at owner's expense

Sec. 6. The owners or occupants of property abutting a state highway shall maintain and keep in repair all private entrances, driveways, and approaches. Private entrances, driveways, and approaches may not be constructed or maintained in a manner that obstructs or interferes with the highway, traffic, or a drain or ditch that has been constructed on or that serves the highway. An owner or occupant of abutting property shall remove private entrances, driveways, and approaches at the owner's expense when requested to do so by the Indiana department of transportation.

As added by P.L.2-1991, SEC.9.

IC 9-21-19-7

Construction or reconstruction of state highways; inclusion of construction of public and existing private approaches and drainage structures in improvement; location of drives; duties of owner

Sec. 7. When a highway in the state highway system or the state maintained route through a city or town is constructed or reconstructed, the construction of all public road approaches and existing private approaches, together with the drainage structures required for the road's protection, shall be included as a part of the improvement of the highway or state maintained route. The Indiana department of transportation may require the changing of the location of existing drives, in the interest of safety to the motoring public, when the highway is constructed or reconstructed. The owner or occupant of the abutting property shall make a change in location under the direction of the Indiana department of transportation. Upon the completion of the highway, the owners or occupants of adjoining lands shall keep in repair all private entrances, driveways, and approaches from highways.

As added by P.L.2-1991, SEC.9.

IC 9-21-19-8

Violations; Class C infraction

Sec. 8. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.9.